

25 May 1976

MEMORANDUM FOR: Office of General Counsel

FROM:

[REDACTED]
Chief, Information Systems Analysis Staff

STATINTL

SUBJECT: Destruction of Records

1. This memorandum provides a status report on records destruction in the Agency, a status report on our negotiation for NARS approval of our records schedules and proposed destruction of illegally accumulated records, and a statement on the types of records which we expect to be destroyed when the moratorium is lifted:

a. Status of Records Destruction:

No Agency records have been destroyed since 28 January 1975. At the request of Senators Scott and Mansfield on 27 January 1975 (Tab A), the DCI placed a moratorium on the destruction of all Agency records effective 28 January 1975 (Tab B). This moratorium was confirmed by the present DCI on 8 March 1976 (Tab C) in response to a letter requesting extension of the moratorium from Bella S. Abzug, Chairwoman of the Governmental Information and Individual Rights Subcommittee (Tab D).

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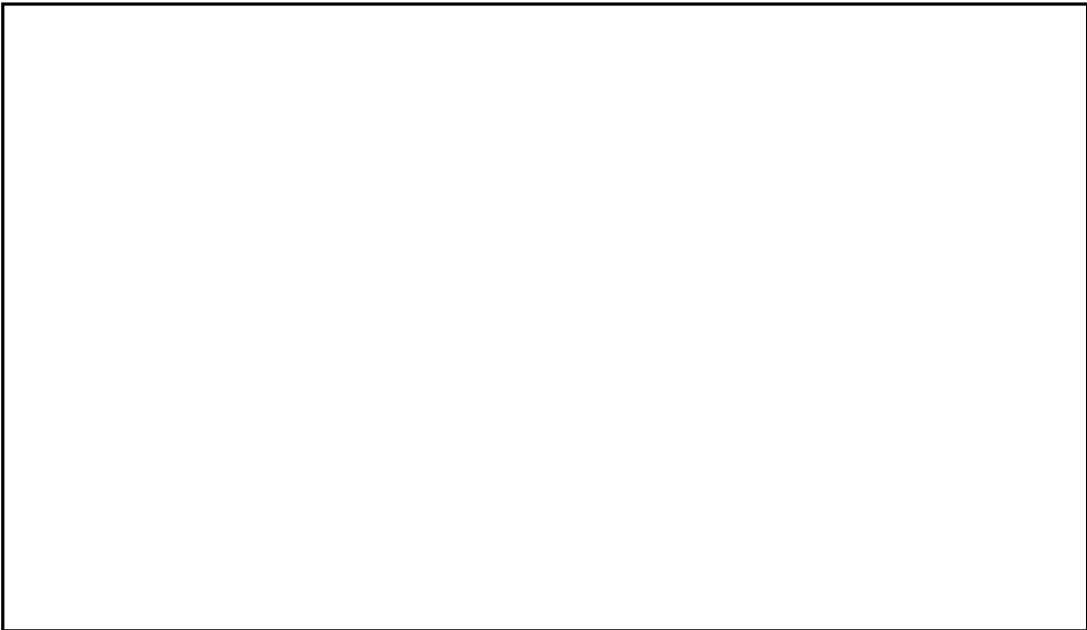
The DCI moratorium covers all routine Agency records, as well as the non-routine records associated with the

b. Status of Negotiations with NARS:

Based on the OGC opinion relating to records retention and disposal that "legally the Agency is subject to the same laws on this subject as other agencies, Title 44, Chapter 33, U.S. Code," based on the fact that Government records can be destroyed only if authorized by the Archivist through the mechanism of a Schedule, and based on the requirement of a recently published GSA Bulletin that all Records Control

Schedules be updated by 31 December 1976, the DCI has levied a requirement on all Agency offices to update Agency Schedules by 30 September.

Of a total of 21 Schedules being developed in the Agency (which will cover all Agency file systems), three Schedules have been approved by NARS, one partially approved, and we expect to submit the remainder well within the 31 December deadline. Completion of these actions will provide the legal basis for the destruction of records on a routine basis in accordance with the disposition instructions of the Schedules. STATINTL



request to NARS for approval for immediate destruction will be subject, of course, to legal obligation to retain the files due to litigation or other pending legal action. The other two categories of files relating to American citizens will be covered by Records Control Schedules and subject to disposition instructions as approved by NARS.

2. Routine files: Approximately 9,000 cubic feet of routine records have accumulated at the Records Center and, subject to reassessment in some instances, will be candidates for destruction when the moratorium is lifted.

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